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Appl. No. 09/606,734

MAR 10 2005

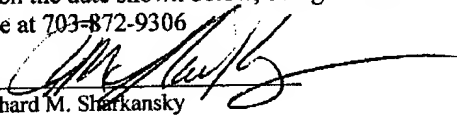
Docket No. 07072-113001

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/606,734 Applicant : Black et al. Filed : June 29, 2000 T.C./A.U. : 2187 Examiner : Than Vinh Nguyen Docket No. : EMC2-056PUS (Formerly 07072-113001)	Confirmation No.: 66964
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Certificate of Transmission (37 C.F.R. 1.8(a))

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March 10, 2005Date of Signature
and TransmissionBy: 
Richard M. Sharkansky**LETTER**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On January 4, 2005, the undersigned attorney faxed to the Patent Office an RCE with an accompanying response to the Final Rejection mailed October 6, 2004.

In checking with PAIRS, there is no indication that the RCE and accompanying response have been placed in the electronic file.

In checking with the Electronic Business Center (EBC) the transmission was received by the PTO.

In an attempt to prevent an improper Notice of Abandonment being mailed by the PTO, and at the suggestion of Examiner Than Vinh Nguyen, a copy of the Auto Reply indicating

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receipt of the RCE and response together with a copy of the previously transmitted RCE and response are being transmitted again to the Patent Office

Dated: March 14, 2005

Respectfully submitted,

By: 

Richard M. Sharkansky
Reg. No. 25,800
Attorney for Applicant(s)
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USPTO 1/4/2005 3:16 PM PAGE 1/001 Fax Server
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Request for Continued Examination (RCE) Transmittal	
<p>Address for Mail Stop RCE Commissioner for Patents P.O. Box 1459 Alexandria, VA 22313-1459</p>	<p>Application Number: 06066734 Filing Date: June 28 2000 First Named Inventor: David Art Unit: 2187 Examiner Name: Nguyen, Tran Van Attorney Docket Number: EAC-COM-PAT (Priority 0702-11000)</p>
<p>This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Required for Continued Examination (RCE) provision under 37 CFR 1.114 does not apply to new utility or plant applications filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 5.</p>	
<p>1. Submissions required under 37 CFR 1.114. Note: If the RCE is proper, any previously filed unexamined amendments and arguments are deemed to be entered in the order in which they were filed, unless applicant indicates otherwise. If applicant does not wish to have any previously filed unexamined amendments entered, applicant must request removal of each amendment.</p> <p>a. <input type="checkbox"/> Manually submitted. If a Mail Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.</p> <p>b. <input checked="" type="checkbox"/> Electronically. <input checked="" type="checkbox"/> Amendment(s) <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> Other</p> <p>c. <input type="checkbox"/> Declaration <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Other</p>	
<p>2. Miscellaneous</p> <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.102(a) for a period of _____ months. (Period of suspension in which not accepted. See 37 CFR 1.111.)</p> <p>b. <input type="checkbox"/> Other</p>	
<p>3. Fees</p> <p>The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or make any amendments, to the RCE fee under 37 CFR 1.17(a).</p> <p>a. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(a) <input type="checkbox"/> I have enclosed a duplicate copy of this check.</p> <p>b. <input type="checkbox"/> Extension of time fee (see 37 CFR 1.17(b) and 1.17(c))</p> <p>c. <input type="checkbox"/> Other _____</p> <p>d. <input type="checkbox"/> Check in the amount of \$ _____ enclosed</p> <p>e. <input type="checkbox"/> Payment by credit card (see PTO-2003-000000)</p>	
<p>WARNING: Information on this form may become public. Confidential information should not be included on this form. Please do not send information and authorization on PTO-2003-000000.</p>	
<p>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</p> <p>Signature: [Signature] Date: 1/4/2005 Name (Printed): [Name] Registration No.: 075,800</p>	
<p>CERTIFICATE OF MAILING OR TRANSMISSION</p> <p>I hereby certify that the foregoing is a true and correct copy of the original as submitted to the USPTO. The information is required to be submitted to the USPTO in accordance with the instructions on the back of this form. The information is required to be submitted to the USPTO in accordance with the instructions on the back of this form. The information is required to be submitted to the USPTO in accordance with the instructions on the back of this form.</p> <p>Signature: [Signature] Date: 1/4/2005</p>	

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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/606,734
	Filing Date	June 29, 2000
	First Named Inventor	Black
	Art Unit	2187
	Examiner Name	Nguyen, Than Vinh
	Attorney Docket Number	EMC2-056PUS (Formerly 07072-113001)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 05-0889. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
Signature	<i>Richard M. Sharkansky</i>	Date
Name (Print/Type)	Richard M. Sharkansky	Registration No.
		25,800

CERTIFICATE OF MAILING OR TRANSMISSION		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.		
Signature	<i>Richard M. Sharkansky</i>	Date
Name (Print/Type)	Richard M. Sharkansky	1-7-2007

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.